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**PATENT** 

Attorney Docket No.: MMI1100-1

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

DeNise et al.

Art Unit:

1637

Application No.:

10/750,623

Examiner:

D.C. Thomas

Filed:

December 31, 2003

Conf:

4066

Title:

METHODS AND SYSTEMS FOR INFERRING BOVINE TRAITS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## REQUEST FOR CORRECTION OF ERROR IN SMALL ENTITY STATUS PURSUANT TO 37 CFR § 1.28(c)

Sir:

In the above-identified patent application, Applicant established small entity status in good faith, paid filing fees as a small entity in good faith, and later discovered that such status as a small entity was established in error. Accordingly, Applicant respectfully requests that the error in small entity status be excused pursuant to 37 CFR § 1.28(c).

The deficiency payment is itemized as follows:

- (A) Types of Fees Erroneously Paid as a Small Entity:
  - 1. · Filing Fee
  - 2. Fourteen (14) Extra Total Claims Fee
  - 3. Missing Parts Surcharge Fee
  - 4. Missing Parts One (1) Month Extension of Time Fee

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01 FC:1001 02 FC:1051 03 FC:1202 04 FC:1251 05 FC:1461 790.00 OP 130.00 OP 700.00 OP 120.00 OP 210.00 OP **CERTIFICATION UNDER 37 CFR §1.8** 

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, November 9, 2006, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Aldon Griffis

(Signature)

(Name of Person Mailing Paper)

November 9, 2006

GT\6510148.1 353398-14 In re Application of:

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- (B) Small Entity Fees Paid:
  - 1. Filing Fee \$385.00 (Paid September 24, 2004)
  - 2. Fourteen (14) Extra Total Claims Fee \$126.00

(Paid September 24, 2004)

3. Missing Parts Surcharge Fee - \$65.00 (Paid September 24, 2004)

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- 4. Missing Parts One (1) Month Extension of Time Fee \$55.00 (Paid September 24, 2004)
- (C) Deficiency Amounts Owed:
  - 1. Filing Fee (Filing, Search and Exam Fees) \$615.00
  - 2. Fourteen (14) Extra Total Claims Fee \$574.00
  - 3. Missing Parts Surcharge Fee \$65.00
  - 4. Missing Parts One (1) Month Extension of Time Fee \$65.00
- (D) Total Deficiency Payment Owed: \$1,319.00

Enclosed is Check No. 583843 in the total amount of \$1,319.00; which consists of the total deficiency fees described in Section C above. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896.

Respectfully submitted,

Date: November 9, 2006

Lisa A. Haile, J.D., Ph.D. Registration No.: 38,347

Telephone: (858) 677-1456 Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213** 

DLA PIPER US LLP

4365 Executive Drive, Suite 1100 San Diego, California 92121-2133



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### TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

- 1. Request for Correction of Error in Small Entity Status Pursuant to 37 CFR § 1.28(c) (2 pages);
- 2. Check No. 583843 in the amount of \$1,319.00; and
- 3. Return Receipt Postcard.

### **CERTIFICATION UNDER 37 CFR §1.8**

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Enclosed is Check No. 583843 in the total amount of \$1,319.00; which consists of \$615.00 for the Filing Fee deficiency, \$574.00 for the Fourteen (14) Extra Total Claims deficiency, \$65.00 for the Missing Parts Declaration Surcharge Fee deficiency and \$65.00 for the One (1) Month Extension of Time deficiency. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

**PATENT** 

Attorney Docket No.: MMI1100-1

Date: November 9, 2006

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